

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/03/2010 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with AI AuYeung at (206) 381-8819 on 04/27/2011.

The application is amended as follows:

1. (Currently Amended) A wireless mobile phone comprising:
a processor;

a transceiver coupled to the processor, and configured to facilitate wireless telephony communication by a user;

a reader coupled to the processor, and configured to read a reference heart beat profile of the user from an identity card of the user wherein the identity card is external to, and not part of the wireless mobile;

a plurality of sensors coupled to the processor, and configured to facilitate real time capturing of a heart beat profile of the a user from the user's hand; and

operating logic configured to be operated by the processor, to receive the real time captured heart beat profile of the user, to authenticate the user by comparing the real time captured heart beat profile with the reference heart beat profile, and to selectively operate the wireless mobile phone depending on whether the user is successfully authenticated based at least in part on a result of the comparison;

wherein the operating logic is further configured to save the real time captured heart beat profile of the user as another reference heart beat profile for future authentication.

2. (Cancelled).

3. (Cancelled).

4. (Cancelled)

5. The wireless mobile phone of claim 1, wherein the reader comprising an electronic reader, an optical reader, or magnetic reader.

6. The wireless mobile phone of claim 1, wherein the sensors are positioned along periphery of the wireless mobile phone.

7. (Currently Amended) In a wireless mobile phone, a method of operation comprising:

reading a reference heart beat profile of a user, by a reader of the wireless mobile phone from an identity card of the user, wherein the identity card is external to. and not of the wireless mobile

capturing in real time, from a hand of the user, by sensors of the wireless mobile a heart beat profile of the user;

authenticating the user, by the phone, including comparing the real time captured heart beat profile of the user with the reference heart beat_profile;

operating a processor and a transceiver of the wireless mobile phone to facilitate wireless telephony communication by the user, beyond a set of functions not requiring user authentication, if the user is successfully authenticated via the comparison; and

saving the real time captured heart beat of the user as another reference heart beat profile for future authentication.

8. (Cancelled).

9. (Cancelled).

10. (Cancelled).

11. (Cancelled).

12. (Currently Amended) A wireless mobile phone comprising:

a processor and a transceiver coupled to each other and configured to facilitate wireless telephony communication by a user, with the processor being configured to operate in at least a selected one of a first mode and a second mode;

a reader coupled with the processor and configured to facilitate reading of a reference biometric profile of the user, from an identity card of the user, wherein the identity card is external not part of the wireless mobile;

one or more sensors coupled with the processor, and configured to capture in real time a biometric profile from the use; and

operating logic configured to authenticate the user, by comparing the real time captured biometric profile with the reference biometric profile, to operate the processor in said first mode without authentication of the user, and to operate the processor in said second mode if the user is successfully authenticated;

wherein the operating logic is further configured to save the real time captured biometric profile of the user as another reference biometric profile for future authentication.

13. The wireless mobile phone of claim 12, wherein the first mode has less functions available than the second mode.

14. The wireless mobile phone to claim 1, wherein the sensors are positioned along periphery of the wireless mobile phone.

15. (Currently Amended) In a wireless mobile phone, a method of operation comprising:

operating a processor and a transceiver coupled to each other to facilitate wireless telephony communication by a user, in a first mode, prior to authenticating the user;

reading a reference biometric profile of the user, by a reader of the phone, from an identity card of the user, wherein the identity card is external to, and not part of the wireless mobile;

capturing in real time_a biometric profile of the user, by one or more sensors, authenticating the user, by comparing the real time captured biometric profile with the reference biometric;

operating the components in a second mode if the user is successfully authenticated based at least in part on a result of said comparing, and

saving the real time captured biometric profile of the user as another reference biometric profile for future authentication.

16. The wireless mobile phone of claim 15, wherein the first mode has less functions available than the second mode.

17. The wireless mobile phone to claim 15, wherein said capturing comprises capturing in real time a biometric profile of the user, by the one or more sensors, upon power-up of the wireless mobile phone.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claims 1, 5-7 and 12-17 according to the Applicant's Remarks filed on 06/03/2010 and the closest prior art record, Kohinata et al. (US 6,788,928 B2) teaches a wireless mobile phone comprising:

a processor;

a transceiver coupled to the processor, and configured to facilitate wireless telephony communication by a user;

a plurality of sensors coupled to the processor, and configured to facilitate real time capturing of a heart beat profile of the a user from the user's hand. However, Kohinata alone or in combination fails to teach or fairly suggest

a reader coupled to the processor, and configured to read a reference heart beat profile of the user from an identity card of the user wherein the identity card is external to, and not part of the wireless mobile;

operating logic configured to be operated by the processor, to receive the real time captured heart beat profile of the user, to authenticate the user by comparing the real time captured heart beat profile with the reference heart beat profile, and to

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selectively operate the wireless mobile phone depending on whether the user is successfully authenticated based at least in part on a result of the comparison;

wherein the operating logic is further configured to save the real time captured heart beat profile of the user as another reference heart beat profile for future authentication.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kiet Doan/
Examiner, Art Unit 2617